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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

FIDELITY & DEPOSIT COMPANY : DOCKET NO. 05-197
OF MARYLAND

VS. : JUDGE TRIMBLE

F.D. SHAY CONTRACTOR, INC.; : MAGISTRATE JUDGE WILSON
FREDERICK DANIEL SHAY; AND
SUE SHAY

JUDGMENT

Pursuant to the memorandum ruling of this date,

IT IS ORDERED, ADJUDGED AND DECREED that the motion for summary judgment (doc. #19) filed by Fidelity & Deposit Company of Maryland is hereby **GRANTED** in its favor and against defendants, F.D. Shay Contractor, Inc., Frederick Daniel Shay and Sue Shay.

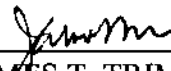
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that judgment is awarded to plaintiff, Fidelity & Deposit Company of Maryland and against defendants, F.D. Shay Contractor, Inc., Frederick Daniel Shay and Sue Shay in the amount of \$1,276,034.84 representing all losses and expenses it sustained and incurred by reason of executing the statutory payment, performance and retainage bonds, bearing No. CMB8159058.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that judgment is awarded to plaintiff, Fidelity & Deposit Company of Maryland and against defendants, F.D. Shay Contractor, Inc., Frederick Daniel Shay and Sue Shay in the amount of \$49,043.30 representing the investigation and settlement of claims by Fidelity & Deposit Company of Maryland, and attorneys' fees, costs and

expenses incurred to enforce Fidelity & Deposit's obligations under the Indemnity Agreement.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all sums awarded herein above bear legal interest from the date of judicial demand until paid in full, and defendant is cast for all court costs in this proceeding.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 18th day of January, 2006.



JAMES T. TRIMBLE, JR.
UNITED STATES DISTRICT JUDGE